

**REMARKS**

Claims 1-72 are pending in this application. In the Office Action dated March 25, 2005, the Examiner indicated that claims 1-72 comprise three distinct inventions, and the Examiner has required that the application be restricted, under 35 U.S.C. § 121, to one of these inventions as follows:

- (I) Claims 1-27, 41-61, 71 and 72, drawn to a digital communications system, classified in Class 379, subclass 93.24;
- (II) Claims 28-30, drawn to a privileged e-mail messaging system, classified in Class 709, subclass 206; and
- (III) Claims 31-39, 41 and 60-70, drawn to a virtual container system for holding header and digital object files, classified in Class 707, subclass 200.

According to the Examiner, inventions I-III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. The Examiner states that, the instant case, invention (I) has a separate utility such as a two-way electrical transmission of intelligible audio information having arbitrary content over a link including an electrical conductor, between spaced apart locations, so as to enable conversation therebetween, and intended for the private use of a listener or a group of listeners, invention (II) has separate utility such as processing user data in response to a demand to transfer data between the computers (e.g., electronic mail messaging), and invention (III) has separate utility such as generic data, file and directory upkeeping, file naming and file and database maintenance including integrity consideration, recovery and versioning.

The Examiner also states that because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

In response, Applicants elect Group I, consisting of claims 1-27, 41-61, 71 and 72. The claims of Group II, consisting of claims 28-30, and of Group III, consisting of claims 31-39, 41

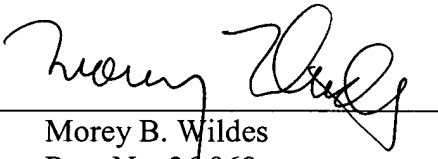
and 60-70, have been canceled from this application without prejudice to Applicants' right to reintroduce them at a later date or in a divisional application.

### **Conclusion**

Reconsideration of the present application, as amended, is requested. If, upon review, the Examiner is unable to issue an immediate Notice of Allowance, the Examiner is respectfully requested to telephone Applicant's undersigned attorney in order to resolve any outstanding issues and advance the prosecution of the case.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
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